



Family Readiness Groups



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FRGs and Appropriated Funds



Army Guidance



LEGAL STATUS: **An appropriated fund commander's program**



AR 600-20 (Army
Command Policy),
paragraph 5-10.

- “Commanders have an obligation to provide assistance to establish and maintain personal and Family affairs readiness.”

AR 608-1 (Army
Community Service),
Appendix J.

- “FRG **mission activities** are supported using the unit’s appropriated funds.”



LEGAL STATUS Determines APF Funding/Support



FRGs Are NOT

- A morale, welfare, & recreation (MWR) program (AR 215-1)
- A NAF Instrumentality (AR 215-1)
- A private organization (AR 210-22, Joint Ethics Regulation)
- A nonprofit organization (Joint Ethics Regulation)





Funding of Mission Activities



Mission activities **must** be funded by appropriate funds (APF) provided by the commanders.

- Mission activities **may not be augmented** with private money. Such augmentation may be a violation of ADA.
- Augmentation is not authorized even if there is no more APF.
- Only solution is to obtain more APF

Issue. How do we know what is “Mission Activity” ?

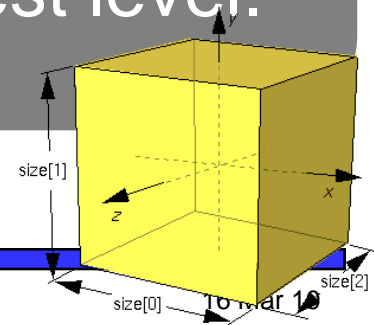


Prong 1. Stated Mission



AR 608-1, Paragraph J-2a. FRG missions consist of:

- Act as an extension of the unit in providing official, accurate command information.
- Provide mutual support between the command and the FRG membership.
- Advocate more efficient use of available community resources.
- Help families solve problems at the lowest level.





Prong Two. Common/Essential Tasks



FRG member meetings

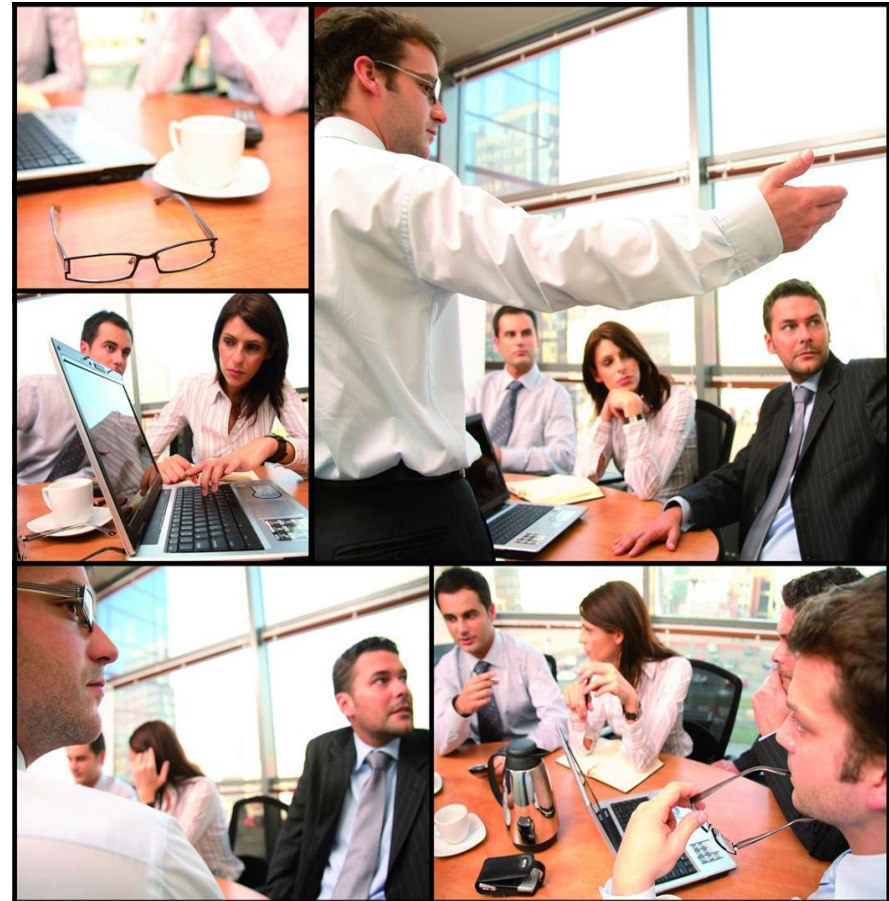
FRG staff and committee meetings

Publication and distribution of FRG newsletters

Maintenance of updated family rosters and family readiness information

Establishment of FRG member telephone trees and e-mail distribution lists

Scheduling educational briefings for FRG members





Prong 2, Part II. Resources for Carrying Out Common/Essential Tasks (1 of 2)



Government Office Space and Equipment

FRGs may use Government office space, computer and office equipment, faxes, e-mails, scanners, and so on to support the FRG mission.

Paper and Printing

FRGs may use Government paper and printing supplies to publish FRG newsletters to relay information from the command and to support any FRG mission activity.



Prong 2, Part II. Resources for Carrying Out Common/Essential Tasks (2 of 2)



Army and Installation Post Offices and Official Mail

FRGs are authorized to use official mail for official, mission related purposes and as approved by the unit commander.

Government Vehicles

The unit commander may authorize Government vehicle use in support of official FRG activities, including the transportation of FRG members for FRG mission-related activities.

These are not all inclusive – There might be others!!!



Some Examples of Mission Activities



Unit Soldier and Family welcoming activities.

Participate in Deployment briefings.

Participate in classes and workshops, many of which are provided through ACS.

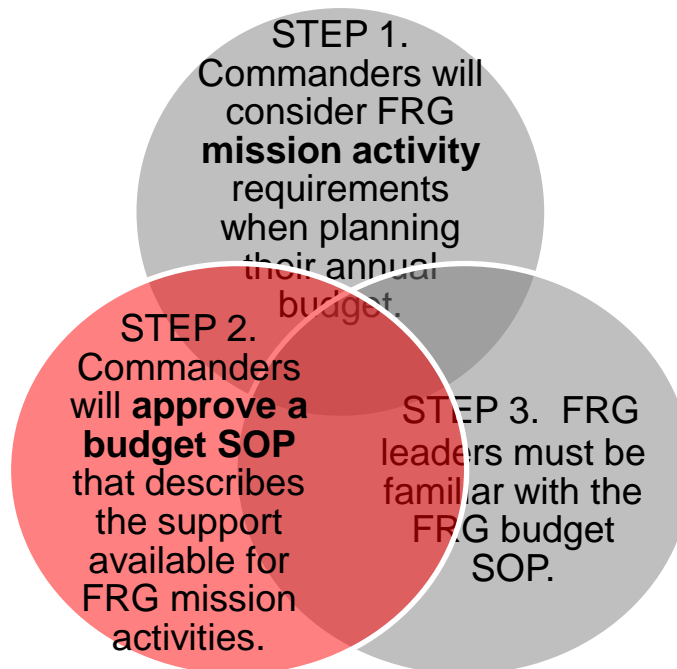
Classes at ACS include military benefits, preparing for deployments, Family services, Operation READY training, Army Family Team Building, coping with stress, homecoming, reintegration, deployment cycle support, etc.

Recruiting, training and recognizing FRG volunteers.





FRG Budget Process



TAKE HOME: There should be a process!!!
When there are questions – First ask:
“What does The Unit FRG SOP allow/Call for?”



Impermissible Activities for FRGs

FRGs may not enter into **commercial sponsorships**. Commercial sponsorship is generally only authorized for official MWR programs and events.

Commanders and FRG leaders should not be involved in the **management of PO's** which support FRGs.



Commanders may not authorize travel or the **reimbursement of volunteer incidental expenses** for members of their household or other persons that could present a potential conflict of interest.



Application of Fiscal/Ethical Laws

FRG Impermissible Activities Arise from the Application of Fiscal/Ethical Laws

Expenditures are subject to the Joint Ethics Regulation and all other applicable statutory and regulatory restraints on official activities, use of appropriated funds, and fundraising

FRG **appropriated fund resources** may not be used to

- Support private organization activities
- Internal fundraisers
- Commercial ventures



Special Issues - Child Care

Child Care



Childcare for command-sponsored training - YES

Needed family support, including child care, education, and other youth services for Armed Forces members who are assigned to duty or ordered to active duty in conjunction with a contingency operation (see 10 USC 1788(b), DODD 1342.17, and DODI 1342.22).



Special Issue – Family Readiness Support Assistant (FRSA)



FRSA

Provides administrative and logistical support to Commanders, Rear Detachment Commanders, and volunteer FRG leaders.

These duties include:

- Prepares and distributes correspondence, rosters, newsletters, flyers, and reports
- Prepares content for vFRG website and may serve as system administrator, if assigned
- Maintains regular contact with community agencies to inform FRG leaders on updated information
- Schedules and coordinates FRG meeting and event logistics
- Assists with maintaining unit volunteer records
- **Things they shouldn't do: Be Treasurers, Volunteer within Program (under color of position)**

FRSAs were added to unit TDAs, so there is no need to worry about funding FRSAs during the FRG budget process



FRGs and Informal Funds



Definition of FRG Informal Funds



AR 608-1, Appendix J-7a. Commanders may authorize their FRG to maintain **one informal fund** in accordance with AR 600-20.

AR 608-1, Appendix J-7a. Informal funds are **private funds (not APF, not NAF)** generated by FRG members that are used to benefit the FRG membership as a whole.

AR 608-1, Appendix J-2e. FRG **social activities** can enhance family and Soldier camaraderie, provide stress relief, and reduce family loneliness during deployments. **Social activities will not be funded using appropriated funds.** FRG members may use money contained in an FRG informal fund to pay for social activities.

AMERICA'S ARMY: THE STRENGTH OF THE NATION™



ARMY FAMILY COVENANT

We recognize...

...The commitment and increasing sacrifices that our Families are making every day.
...The strength of our Soldiers comes from the strength of their Families.

We are committed to...

...Providing Soldiers and Families a Quality of Life that is commensurate with their service.
...Providing our Families a strong, supportive environment where they can thrive.
...Building a partnership with Army Families that enhances their strength and resilience.

We are committed to Improving Family Readiness by:

- Standardizing and funding existing Family programs and services
- Increasing accessibility and quality of health care
- Improving Soldier and Family housing
- Ensuring excellence in schools, youth services and child care
- Expanding education and employment opportunities for Family members





Not Enough Informal Funds to Cover Activities in the Informal Fund SOP



What if there is not enough informal funds for authorized use?

- **Issue.** Can the FRGs conduct fundraisers to replenish their informal funds?
- **General Fundraising Prohibition.** In addition to preserving Congress' power of the purse, the rules against augmentation are consistent with public policy.
- **Specified Authority for Exception.** 5 C.F.R. § 2635.808(b) and JER JOINT Ethics Regulation 3-210a(6)

YES - FRGs can Fundraise, within limits, to replenish informal funds





Specified Authority for Exception



JER 3-210a(6). DoD employees shall not officially endorse or appear to endorse membership drives or fundraising for any non-Federal entity except the following organizations -- Other organizations composed primarily of DoD employees or their dependents when fundraising **among their own members for the benefit of welfare funds for their own members or their dependents** when approved by the head of the DoD Component command or organization **after consultation with the DAEO** or designee.

- **Raising the Money.** Controls the way money comes in from fundraising.
- **Spending the Money.** Controls the way the money raised from fundraising can be spent.



Raising the Money



Army General Counsel 11 January 2006 Email provides broad interpretation of that phrase.



For example, “an installation may derive benefit from the Brigade or Unit FRG.”



Conclusion. An FRG can fundraise installation-wide if that FRG can articulate a benefit.





Examples of Authorized Use



Authorized Use of Informal Funds to benefit the FRG membership as a whole

- FRG newsletters that contain mostly unofficial information
- Parties
- Social outings
- Volunteer recognition
- Picnics
- Refreshments





Special Issue – Food & Entertainment



Food

Buying food for individual is generally not considered a “necessary expense,” food is generally considered a personal expense. Some limited exceptions.

Entertainment

Entertaining federal employees or other individuals generally does not materially contribute to an agency’s mission performance and entertainment expenses are generally considered a personal expense.



Examples of Unauthorized Use



Non-Authorized Use of Informal Funds

- Augmenting the unit's other informal funds (the unit's cup and flower funds)
- Augmenting items or services that should be paid for with appropriated funds
- Purchasing traditional military gifts, such as Soldier farewell gifts that are not related to family readiness
- Funding the unit ball (Specifically stated!!)





Procedures Commander Must Apply to Conduct Informal Fund Fundraising



Appropriate **infrastructure** established – SOP, Fund Custodian

Purpose of fundraising **consistent with** the approved **SOP**.

Manner of fundraising **consistent with** the **JER** and **AR 600–29**.

FRG Commander must **coordinate** with the commander with **jurisdiction over** the **location of** fundraising.

Commanders must **consult with** **SJA/Ethics counselor** and avoid all conflicts of interest.



Army Directive 2008-01

(Increase In Family Readiness Group Informal Fund Cap)



The FRG informal fund cap currently listed as \$5,000 in AR 608-1, Army Community Service Center, Appendix J, Section 7, subparagraphs (e) and (f) is increased to \$10,000.

This increase provides more flexibility in raising funds for use in approved FRG activities and enhances the quality of support to Soldiers and their Families.

http://www.army.mil/USAPA/epubs/pdf/ad2008_01.pdf



SECRETARY OF THE ARMY
WASHINGTON

07 MAR 2008

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Army Directive 2008-01, Increase In Family Readiness Group Informal Fund Cap

1. This directive publishes an increase in the dollar amount pertaining to Family Readiness Group (FRG) informal fund caps. The FRG informal fund cap currently listed as \$5,000 in AR 608-1, Army Community Service Center, Appendix J, Section 7, subparagraphs (e) and (f) is increased to \$10,000. This change will be incorporated into the next revision of AR 608-1. The other provisions of AR 608-1 remain unchanged.
2. This increase provides more flexibility in raising funds for use in approved FRG activities and enhances the quality of support to Soldiers and their Families.


Pete Geren

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(CONT)



Informal Fund Fundraising Philosophy



AR 608-1

- FRGs are not established to raise funds, solicit donations, or manage large sums of money. They are not equipped to handle the complex tax ramifications and stringent accounting requirements that can result from excessive informal funds.



Reality

FRG mission activities are vital. FRGs should never be placed in the position of being unable to conduct **mission activities** because of FRG informal fund fundraising.





FRGs and Gifts



General Rules Regarding Donations



General Fundraising Prohibition.

- In addition to preserving Congress' power of the purse, the rules against augmentation are consistent with public policy.

Exception.

- 10 USC 2601(a) and (b). The secretaries of the military departments is delegated the authority to accept gifts for organizations under their jurisdiction.

No Solicitation

- AR 1-100, para 5e. DA personnel will not solicit gifts from potential donors. They may, however, in response to an appropriate inquiry, inform potential donors of needs of the service.



Once Donations Are Made They Fall into One of Two Pots





Donation to FRGs \leq \$1000



Acceptance Authority.

- **AR 608-1, Appendix J-7f.**
- Unit commanders may accept an unsolicited gift or donation of money or tangible personal property of a value of \$1,000 or less for its FRG informal fund after consultation with the unit ethics counselor.

Legal Review.

- **AR 608-1, Appendix J9j.**
- Commanders will seek guidance from their servicing Judge Advocate and ethics counselor when they receive offers of unsolicited donations for FRG support.

Use Limitation.

- **AR 608-1, Appendix J-7f**
- Unsolicited gifts or donations to the FRG informal funds are considered income and impact the FRG informal fund annual income cap of \$10,000.
- Use as cited in informal funds portion cited above.



Donation for FRG > \$1000



Becomes Non-Appropriated Funds

- Unsolicited donations accepted by the garrison commander into the installation ACS center supplemental mission program become non-appropriated funds (NAFs).



Becomes Shared Funds.

- Supplemental mission NAFs should be shared equally by FRGs (both active component and Army tenant units to include Reserve and National Guard) which receive support from the ACS center which received the donation.



Becomes Responsibility of Garrison Director of FMWR

- Has fiduciary responsibility for these funds IAW AR 215-1, not the Commander of that FRG.
- Garrison Commander



Acceptance Authority for Donation to FRG NAFI > \$1000



\$50,000.

- Family and Morale, Welfare and Recreation Directors/Fund Managers of separate NAFI within the IMCOM structure may accept subject gifts valued up to \$50,000, when delegated by the Garrison Commander.

\$100,000

- Garrison commanders may accept subject gifts valued up to \$100,000.

\$250,000

- IMCOM Region Directors, FMWRC Commanding General, or FMWRC may accept subject gifts valued up to \$250,000.



General Rules for Using FRG Supplemental Mission Donations



Commanders may use supplemental mission donations intended for FRGs **for any purpose that the commander determines clearly supplements an established mission** of the FRG so long as appropriated funds are not authorized.

- First Priority - Encourage maximum attendance and participation at FRG meetings.
- May not be used where APFs are authorized.
- The installation MWR fund may not subsidize the supplemental mission NAF activity or vice versa.
- Use must be able to stand the test of public scrutiny and not deemed a misuse or waste of funds.
- Use must be consistent with AR 215-1.
- Use will not impact informal fund cap.
- Supplemental mission NAFs do not expire and balances roll forward into the next fiscal year.



Examples of Proper and Authorized Use of Supplemental Mission FRG Donation Dollars



Reimbursement of statutory volunteer incidental expenses if appropriated funds are not available.

Food and refreshments at official FRG meetings.

Other activities that support FRG mission.



Special Issues Regarding Acceptance of Gifts



Garrison commanders may accept unsolicited gifts into the supplemental mission program when the donor intends the donation or gift to be used only in support of **FRGs that are experiencing certain deployment cycle events, such as preparing for deployment, deployment, and redeployment. (YES!!)**



The garrison commander may not accept unsolicited gifts into the supplemental mission program when the **donor intends the donation or gift to be used only by a named FRG**. For example, a donor intends a gift to be used “for Brigade X’s FRG.” Garrison commander must decline the gift because it creates disparity between FRGs experiencing the same deployment cycle events. **(NO!!)**





Questions?